

**CHAPTER 152**

**S.B. No. 599**

An Act relating to exemption from the nepotism rule of certain previously employed persons and to certain restrictions on future decisions; amending Article 5996a, Revised Statutes, as amended.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Article 5996a, Revised Statutes, as amended, is amended to read as follows:

“Article 5996a. NEPOTISM. No officer of this State nor any officer of any district, county, city, precinct, school district, or other municipal subdivision of this State, nor any officer or member of any State district, county, city, school district or other municipal board, or judge of any court, created by or under authority of any General or Special Law of this State, nor any member of the Legislature, shall appoint, or vote for, or confirm the appointment to any office, position, clerkship, employment or duty, of any person related within the second degree by affinity or within the third degree by consanguinity to the person so appointing or so voting, or to any other member of any such board, the Legislature, or court of which such person so appointing or voting may be a member, when the salary, fees, or compensation of such appointee is to be paid for, directly or indirectly, out of or from public funds or fees of office of any kind or character whatsoever; provided, that nothing herein contained, nor in any other nepotism law contained in any charter or ordinance of any municipal corporation of this State, shall prevent the appointment, voting for, or confirmation of any person who shall have been continuously employed in any such office, position, clerkship, employment or duty for a period of *one (1) year* [~~two (2) years~~] prior to the election or appointment of the officer or member appointing, voting for, or confirming the appointment, or to the election or appointment of the officer or member related to such employee in the prohibited degree. *When a person is allowed to continue in an office, position, clerkship, employment, or duty because of the operation of the exceptions contained in the two foregoing provisions then the Judge, Legislator, officer, or member of the governing body who is related to such person in the prohibited degree shall not participate in the deliberation or voting upon the appointment, reappointment, employment, confirmation, reemployment, change in status, compensation, or dismissal of such person, if such action applies only to such person and is not taken with respect to a bona fide class or category of employees.*”

**SECTION 2.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on March 6, 1985, by the following vote: Yeas 31, Nays 0; Senate concurred in House amendments on May 9, 1985, by the following vote: Yeas 31, Nays 0; passed the House, with amendment, on May 2, 1985, by the following vote: Yeas 132, Nays 2, one present not voting.

Approved: May 24, 1985

Effective: Immediately